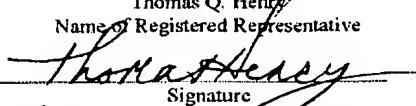


7037-438

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re continuation patent application of:) Before the Examiner Woo
)
David R. Hathaway) Group Art Unit 3731
)
Serial No. 10/008,781)
)
Filed November 13, 2001)
)
APPARATUS AND METHOD FOR)
POSITIVE CLOSURE OF AN INTERNAL)
TISSUE MEMBRANE OPENING)

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Thomas Q. Henry
Name of Registered Representative

Signature
February 18, 2002
Date of Signature

SECOND
PRELIMINARY AMENDMENT

Hon. Assistant Commissioner of Patents

Washington, D.C. 20231

Sir:

Please enter the following Preliminary Amendment in the above-identified patent application. The Commissioner is hereby authorized to charge payment of any additional fees associated with this application or credit any overpayment to Deposit Account No. 23-3030.

IN THE CLAIMS

Please cancel claim 1.

Please add claims 37-52 as follows:

WOODARD, EMHARDT, NAUGHTON, MORIARTY & MCNETT
PATENT AND TRADEMARK ATTORNEYS

BANK ONE CENTER/TOWER
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FAX COVER SHEET**FAX RECEIVED**NO. OF PAGES: COVER SHEET PLUS 7 PAGE(S)

FEB 19 2002

TO: Examiner Julian W. Woo, Group Art Unit 3731

GROUP 3700

FAX NO: 703-305-3590.

FROM: Thomas Q. Henry

DATE: February 18, 2002

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